

REMARKS

Claims 1-27 are pending in this application. In the Office Action, the Examiner rejected the Claims as follows. Claims 1, 2, 5, 6, and 24-27 were rejected under 35 U.S.C. §102(a) as being anticipated by “Visualizing Crowds at a Web Site” (“Minar” which, unless indicated otherwise, for the sake of clarity, refers to primary and secondary references as discussed below) and were alternatively rejected under 35 U.S.C. §103(a) as being obvious over Minar. Claims 3 and 4 were rejected under 35 U.S.C. §103(a) as being obvious over Minar and further in view of U.S. Patent No. 6,289,353 Hazlehurst. Claims 7-23 were rejected under 35 U.S.C. §103(a) as being obvious over Minar in view of “WebQuery: Searching and Visualizing the Web through Connectivity,” (Nortel).

This Response to the Office Action of February 23, 2006 is being made in accordance with telephonic interviews between Applicants’ representative Victor A. Grossman and the Examiner and his supervisor on May 24, 2006 and between the Victor A. Grossman and the Examiner on June 13, 2006. The courtesy extended by the Examiner in conducting the telephonic interviews is greatly appreciated. During the interview of June 13, 2006, the Examiner stated that the cited art of record does not teach or suggest pie segments or subrings defining subcategories as disclosed by the present application. Accordingly, in order to advance the prosecution of the present application, the Claims of the present application have been amended to recite these limitations.

In the present Office Action, the Examiner relies upon “secondary” references that the Examiner admits were obtained using links from an electronically-retrieved document which itself does not correspond with any listing in the Notices of References cited (e.g., see, paragraph 5, page 5, Office Action). It is respectfully submitted that these secondary references are improper for several reasons. First, the URLs of the cited references do not match the URLs cited by the Examiner in the Notice of References Cited (e.g., see, Notice of References Cited, Office Communication dated January 9, 2006). Second, the publication dates of the secondary references could not be ascertained. Third, the Examiner admits that the secondary references were obtained using “links” from the primary reference, even though this may be contrary to United States Patent and Trademark Office policy, as it is well established that using links to an archived web page may take you to a current web page (e.g., see, “Prior Art in the Field of Business Method Patents - When is an Electronic Document a Printed Publication for Prior Art Purposes?”, Presented at AIPLA, Fall 2002, By Wynn W. Coggins, The United States Patent and Trademark Office, which is available online at: <http://www.uspto.gov/web/menu/pbmethod/aipfall02paper.htm#table1>). Fourth, the “links” in at least some of the documents cited by the Examiner do not correspond with the documents cited by the Examiner in the Notice of References Cited. For example, with reference to the document found at “<http://alumni.media.mit.edu/~nelson/research/crowdvis/>” (which, as used by the Examiner, refers to <http://www.media.mit.edu/~nelson/research/crowdvis/>”, in the Notices of References Cited, Office Communication dated January 9, 2006), the “link” referred to by the

Examiner on Page 5 of the Office Action, is a link to <http://alumni.media.mit.edu/~nelson/research/crowdvis/WebVisApplet.html>,” as opposed to being a link to <http://www.media.mit.edu/~nelson/research/crowdvis/WebVisApplet.html>, as stated by the Examiner. This is better illustrated with reference to FIGs. 1A, 2A, and 3A in Appendix A attached hereto.

Moreover, with reference to Appendix B (which is also attached hereto), a display of archived documents corresponding to the directory “<http://media.mit.edu/~nelson/>” obtained from the “WayBackMachine,” is illustrated in FIG. 1B. As shown, only a single page predates the priority date of the present application. This page is shown in FIGs. 2B and 3B of Appendix B. Furthermore, a display of Archived documents corresponding to the directory “<http://alumni.media.mit.edu>” is attached hereto in FIG. 4B of Appendix B and does not list any archived documents before March 2, 2001, which is after the filing date of the present application.

Furthermore, regarding the Examiner’s assertion that the dates listed on the secondary references constitute publication dates, it is respectfully submitted that the Examiner is incorrect, as these dates clearly indicate otherwise. Accordingly, it is respectfully requested that proper publication dates for each reference cited by the Examiner be provided.

However, assuming without prejudice that the cited references are valid, in order to advance the prosecution of the present application, the Claims of the present invention have been

amended and are further distinguished.

Regarding the rejection of independent Claim 1, Claim 1, has been amended and is further distinguished.

Minar discloses icons representing pages, and teaches “the Footprints stuff didn’t work out,” and that he is “not yet sure how to manage the motion of the dots.” (e.g., see, Page 1, Minar, Office Communication mailed January 9, 2006).

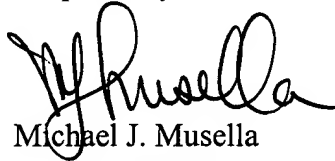
In contrast to that which is taught by Minar, amended Claim 1 includes the recitation of generating a graphical representation of said at least one instance of said mapping data structure, said graphical representation graphically depicting the two or more categories mapped to a corresponding pie segment and the subcategories defined by subrings such that the subcategories are graphically depicted within a corresponding category of the two or more categories, which is neither taught nor suggested by Minar. Accordingly, it is respectfully requested that the rejections under 35 U.S.C. §102(a) and §103(a) of Claim 1 be withdrawn.

Independent Claims 25-27 have been amended to include similar recitations as those contained in independent Claim 1. Accordingly, it is respectfully submitted that Claims 25-27 are patentably distinct for at least the same reasons as stated above with respect to the rejection of Claim 1. Withdrawal of rejection of Claims 25-27 is respectfully urged.

Independent Claims 1 and 25-27 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-24, it is submitted that they are allowable at least by virtue of their dependencies on independent Claim 1. Accordingly, all of the claims pending in the application, namely Claims 1-27, are believed to be in condition for allowance and allowance is respectfully requested.

Should the Examiner have any questions regarding this communication or feels that an interview would be helpful in advancing the prosecution of this application, the Examiner is requested to contact the undersigned attorney.

Respectfully submitted,

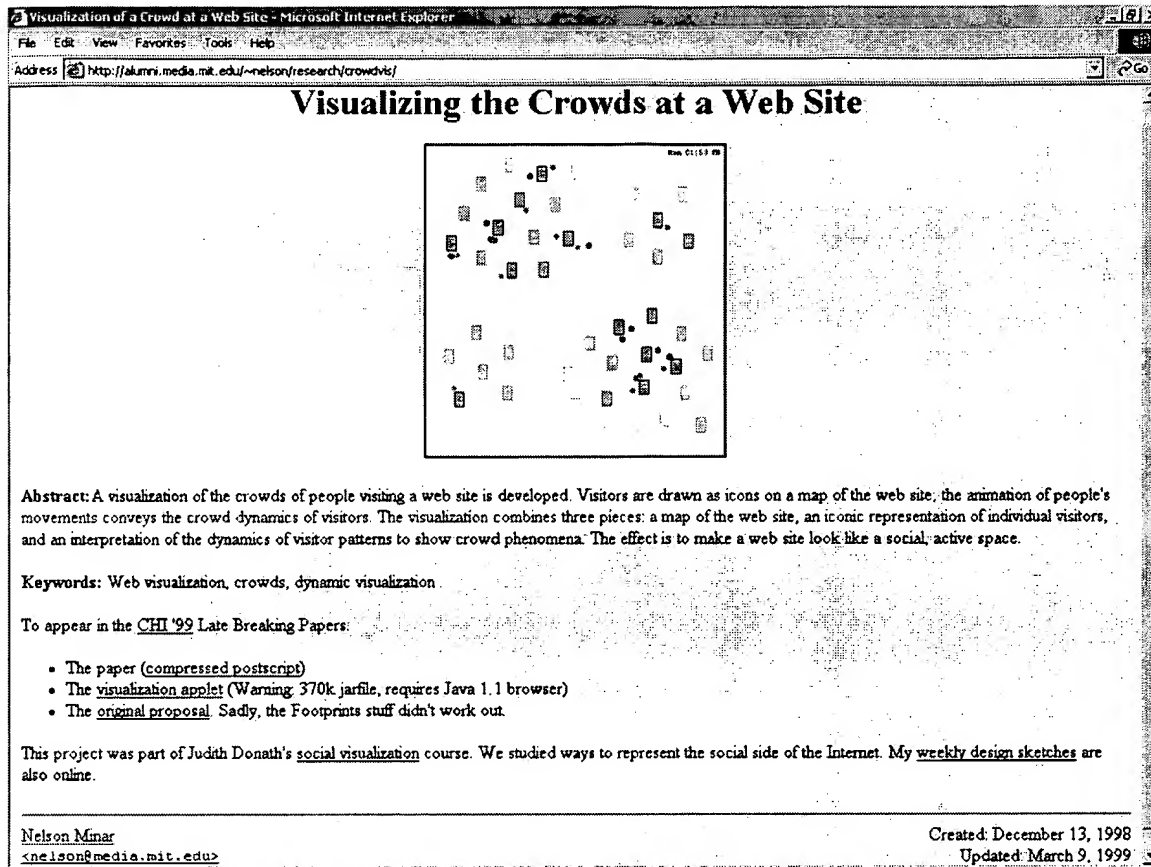
A handwritten signature in black ink, appearing to read "Musella", is written over the printed name.

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APPENDIX AFIG. 1: <http://alumni.media.mit.edu/~nelson/research/crowdvis/>

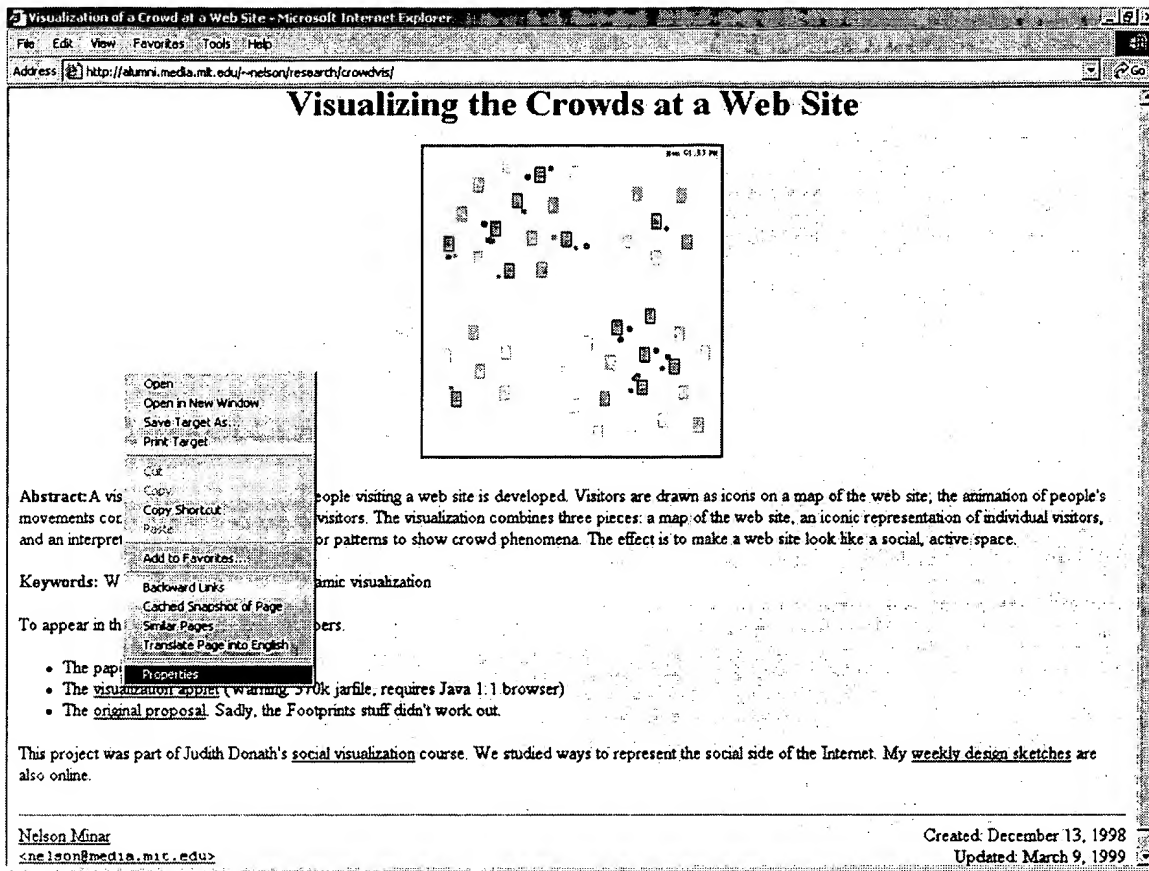


FIG. 2A: <http://alumni.media.mit.edu/~nelson/research/crowdvis/> (Select “[visualization applet](#)” right click to obtain “properties.”)

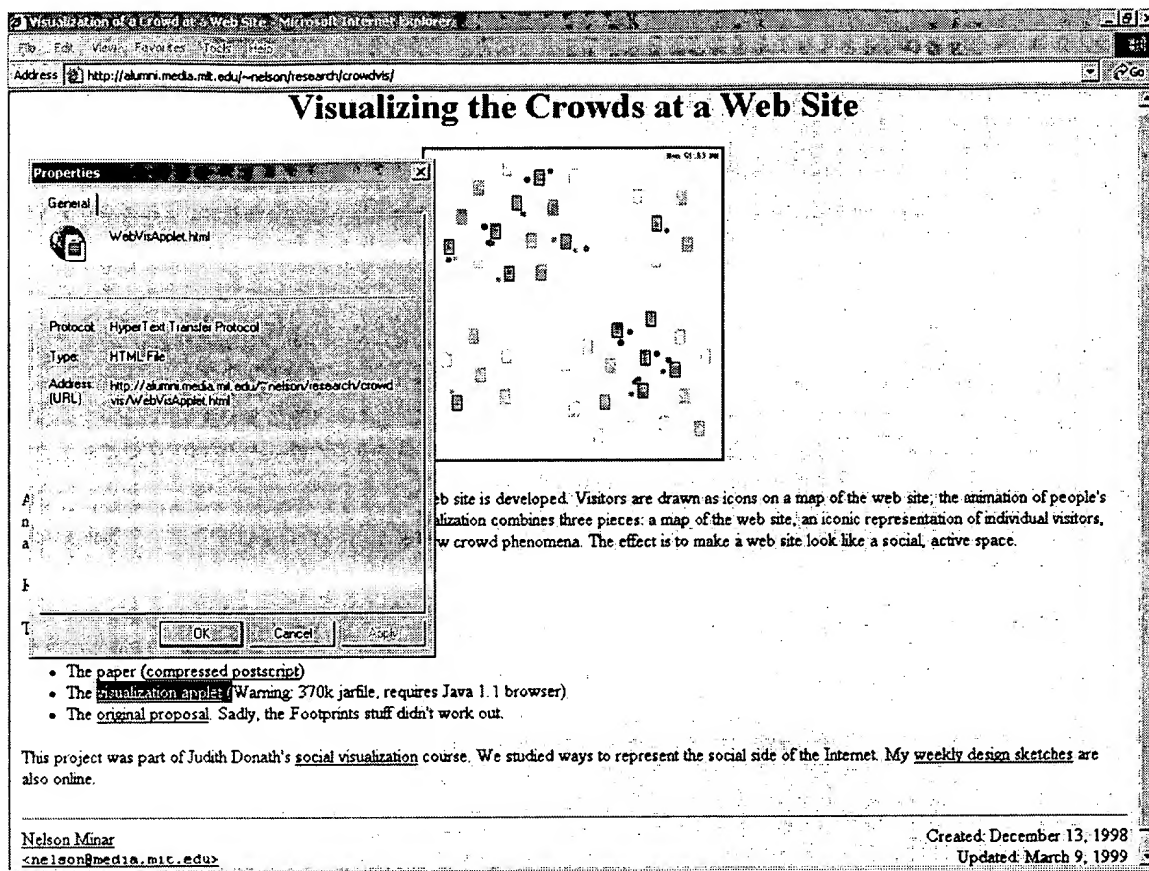


FIG. 3A: Select "properties"

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APPENDIX B

Internet Archive Wayback Machine - Microsoft Internet Explorer

Address http://web.archive.org/web/~se_http://media.mt.edu/~nelson/

waybackmachine

Enter Web Address: All

Searched for <http://media.mt.edu/~nelson/> 61 Results

* denotes when site was updated.

Search Results for Jan 01, 1996 - May 18, 2006

1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
0 pages	0 pages	1 pages	0 pages	1 pages	39 pages	6 pages	7 pages	5 pages	2 pages	0 pages
		Dec 06, 1998 *		Aug 17, 2000 *	Apr 24, 2001 *	Jan 24, 2002 *	May 01, 2003	Jan 28, 2004	Feb 07, 2005 *	
					May 16, 2001	May 28, 2002 *	Jun 25, 2003	May 09, 2004	Feb 16, 2005	
					Jul 23, 2001	Jul 25, 2002 *	Jul 19, 2003	Jun 08, 2004 *		
					Oct 04, 2001	Aug 03, 2002	Oct 10, 2003 *	Jun 14, 2004		
					Nov 03, 2001	Oct 05, 2002	Oct 10, 2003	Sep 30, 2004		
					Nov 03, 2001	Nov 27, 2002 *	Dec 19, 2003 *			
					Nov 05, 2001		Dec 20, 2003			
					Nov 06, 2001					
					Nov 08, 2001					
					Nov 09, 2001					
					Nov 09, 2001					
					Nov 10, 2001					
					Nov 10, 2001					
					Nov 11, 2001					
					Nov 12, 2001					
					Nov 12, 2001					
					Nov 13, 2001					
					Nov 14, 2001					
					Nov 15, 2001					
					Nov 15, 2001					
					Nov 18, 2001					
					Nov 18, 2001					
					Nov 20, 2001					
					Nov 22, 2001					
					Nov 22, 2001					
					Nov 23, 2001					
					May 17, 2001					

<http://web.archive.org/web/20011113093340/http://www.media.mt.edu/~nelson/> Internet

FIG. 1B

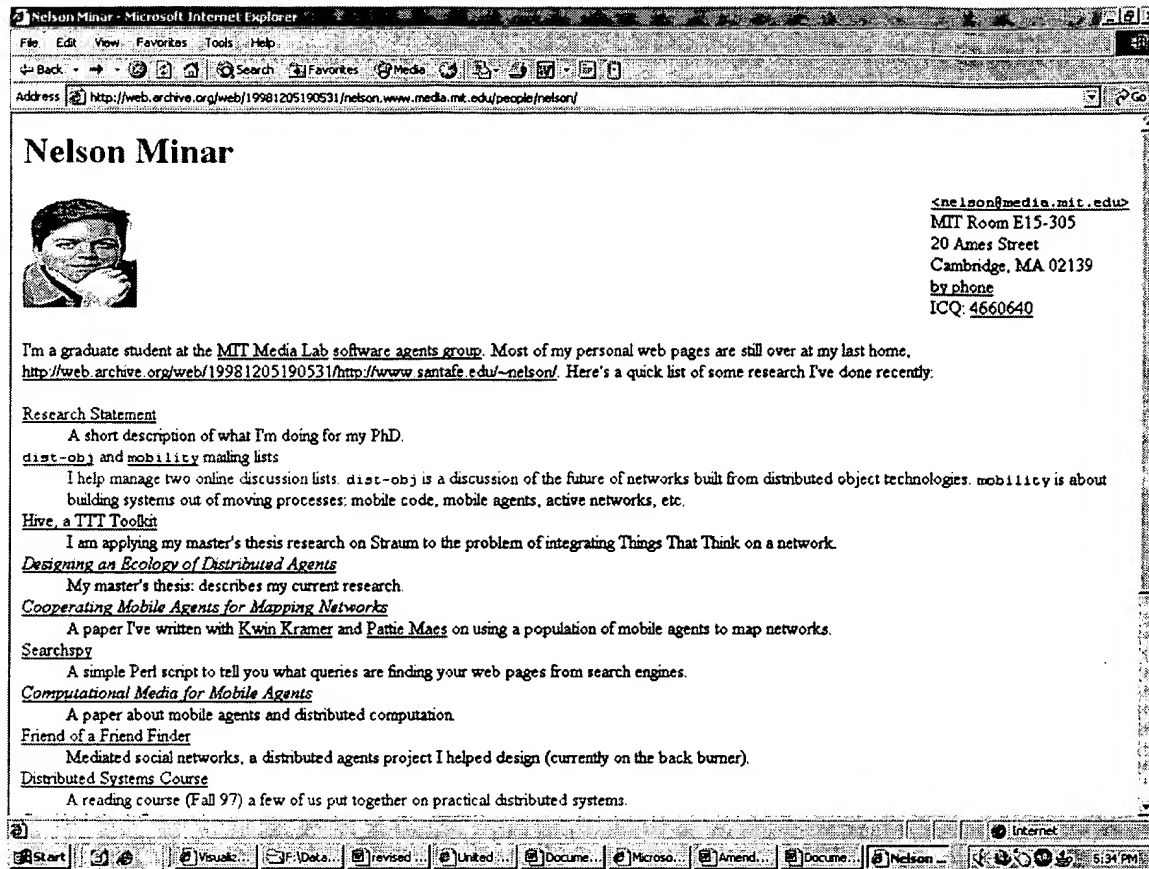


FIG. 2B

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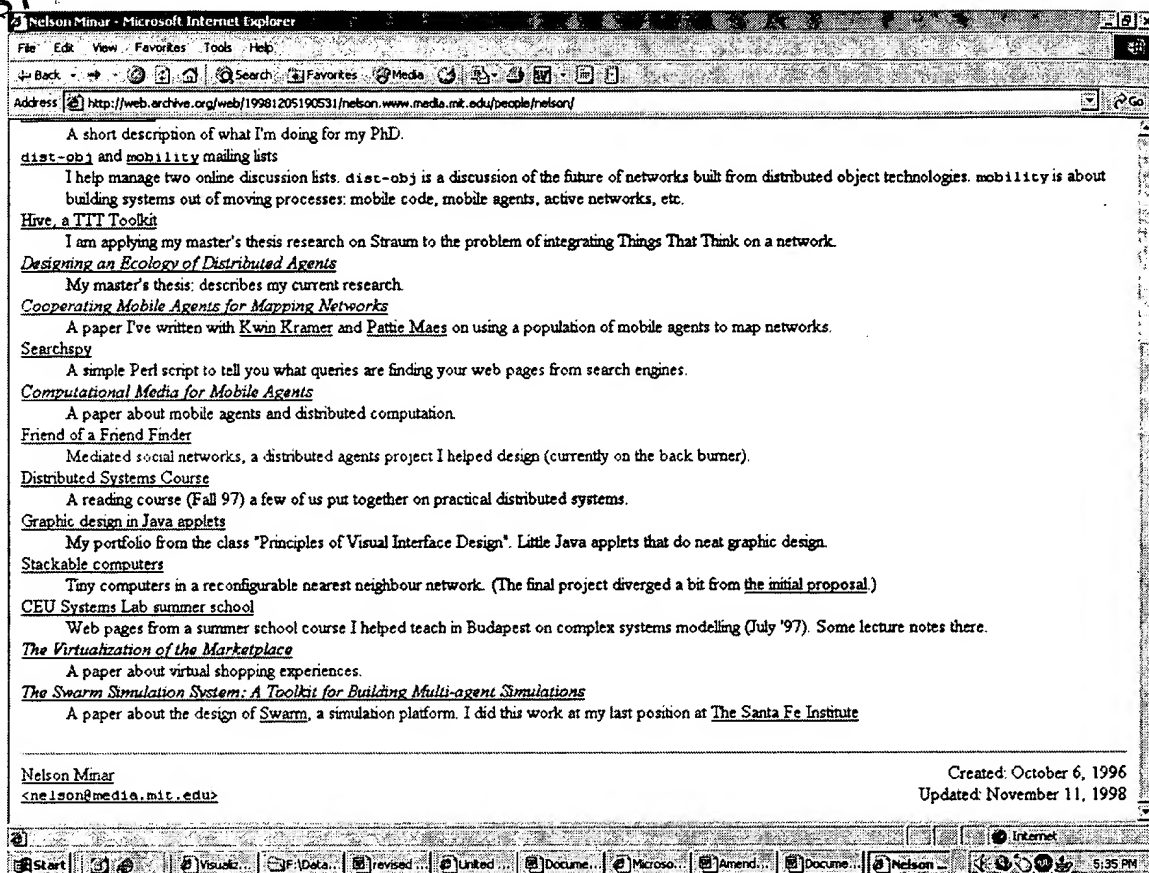


FIG. 3B

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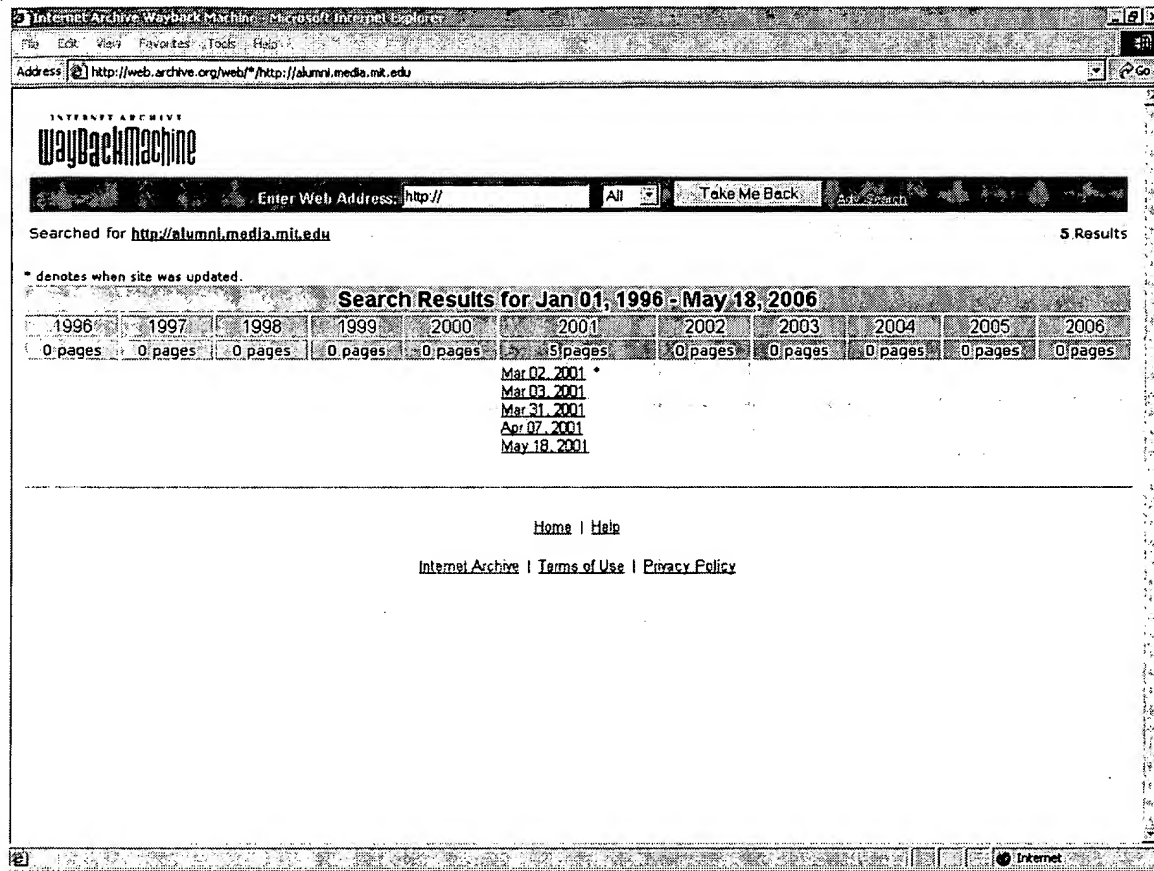


FIG. 4B